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OFFICE OF PETITIONS

In re Application of
John L. Margrave, et. al.
Application No. 09/809,885
Filed: March 16, 2001
Attorney Docket No. 21753-013003

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 11, 2006, to revive the above-identified application.

The above application became abandoned for failure to file a proper reply to the final Office action mailed April 10, 2006.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement.

The petition satisfies the requirements of 37 CFR 1.137(b), in that, petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) under 37 CFR 1.114, with the \$790 filing fee and an amendment; (2) the petition fee of \$1,500; and (3) an adequate statement of unintentional delay. Therefore, the petition is **GRANTED**.

This application is being revived for consideration of the RCE.

The Change of Correspondence Address filed December 11, 2006 has been made of record.

The application file is being referred to Technology Center Art Unit 1754.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.


Andrea Smith

Petitions Examiner
Office of Petitions